

FILED

NOV 13 2022

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA, and the)	CASE NO.: 1:21CV1239
STATES of CALIFORNIA, COLORADO,)	
CONNECTICUT, DELAWARE, FLORIDA,)	JUDGE CHARLES E. FLEMING
GEORGIA, ILLINOIS, INDIANA,)	
LOUISIANA, MARYLAND, MICHIGAN,)	
NEVADA, NEW HAMPSHIRE, NEW)	
JERSEY, NEW YORK, NORTH)	
CAROLINA, OKLAHOMA, RHODE)	
ISLAND, TENNESSEE, TEXAS,)	
VERMONT, WASHINGTON, the)	
COMMONWEALTH of)	
MASSACHUSETTS, the)	<u>THE GOVERNMENT'S NOTICE OF</u>
COMMONWEALTH of VIRGINIA, and the)	<u>INTERVENTION IN PART</u>
DISTRICT OF COLUMBIA, ex rel.)	
ANDREW WHITE, MARK ROSENBERG,)	<u>FILED UNDER SEAL</u>
and ANN WEGELIN,)	
)	
Plaintiffs-Relators,)	
)	
v.)	
)	
RITE AID CORPORATION, et al.)	
)	
Defendants.)	

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the United States notifies the Court that it hereby intervenes in part and intends to proceed with this action against Defendants Rite Aid Corporation; Rite Aid HDQTRS, Inc.; Rite Aid of Connecticut, Inc.; Rite

Aid of Delaware, Inc.; Rite Aid of Maryland, Inc.; Rite Aid of Michigan, Inc.; Rite Aid of New Hampshire, Inc.; Rite Aid of New Jersey, Inc.; Rite Aid of Ohio, Inc.; Rite Aid of Pennsylvania, Inc.; and Rite Aid of Virginia, Inc. The United States declines to intervene as to the remaining Defendants. The United States intends to file its Complaint within 90 days.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all future pleadings filed in this action by any party and as to any claim be served upon the United States; the United States also requests that orders issued by the Court be sent to the Government's counsel. The United States reserves its right to order any deposition transcripts, and to intervene in the portion of this action in which it is declining to intervene today, for good cause, at a later date.

The United States reserves the right to seek the dismissal of the relator's action or claim on any appropriate grounds, including under 31 U.S.C. § 3730(b)(5) and (e)(4).

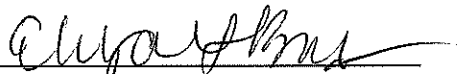
The United States also requests, pursuant to 31 U.S.C. § 3730(b) that the relators' complaint, including all amended complaints, this Notice, and the attached proposed Order be unsealed. The United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the United States' non-public investigation, including its methods and thought processes for assessing relator's allegations, these submissions were provided under 31 U.S.C. § 3730(b)(3) to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended. *See id.* § 3730(b)(2)-(3) (providing only for the unsealing of the *in camera* complaint).

A proposed order accompanies this notice.

Respectfully submitted,

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Northern District of Ohio

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Principal Deputy Assistant Attorney
General
Civil Division

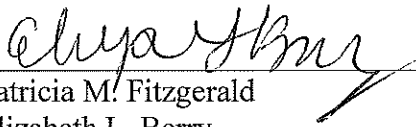
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CERTIFICATE OF SERVICE

A copy of the Government's Notice of Intervention in Part, along with the Proposed Order, was sent by regular U.S. mail this 18th day of November 2022 to:

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